

CHAPTER 1 ADMINISTRATION

[Prior to 9/24/86, Employment Security [370]]

345—1.1(96) Overall organization.

1.1(1) *Organization.* The division of job service of the department of employment services was established by Iowa Code chapter 96. The chief executive officer of the division is the director of the department of employment services who shall serve as the commissioner of job service and who shall be appointed by the governor with the approval of two-thirds of the members of the senate and is responsible directly to the governor.

a. For ease of operation and administration of the responsibilities assigned to it, the commissioner has organized the division into two bureaus which are further divided into sections and units.

b. The support services, administrative services, and financial management functions for the division are performed by the staff services, administrative services, and strategic planning and finance bureaus of the department of employment services.

1.1(2) *Job service advisory council.*

a. A nine-member advisory council is appointed by the governor and approved by two-thirds of the members of the senate. The council consists of an equal number of employer, labor, and general public representatives. Each member is appointed for a six-year term and may be reappointed.

b. The advisory council meets with the commissioner, at least quarterly, and may meet more often upon the call of the commissioner. Information concerning the time and place of meetings of the advisory council may be obtained from the office of the job service commissioner.

345—1.2(96) General course and method of operations.

1.2(1) *The commissioner.* The commissioner has general supervision over the administration and operation of job placement, job insurance, and all special programs and projects assigned to it by the federal and state governments. In conformance with the law, the commissioner also develops statewide policies and programs to alleviate unemployment through job development and retraining and for speedy payment of benefits.

1.2(2) *Veterans employment service.* The state director of veterans employment is administratively responsible to the regional director of veterans employment, United States Department of Labor, and serves in a liaison and advisory capacity to the commissioner. This individual is responsible for functional supervision of all veteran activities in local job service offices.

1.2(3) *Job insurance bureau.* The primary responsibility of the job insurance bureau is to administer the provisions of the Iowa employment security law and related federal programs in accordance with pertinent laws, regulations, and policies. Attorneys who report to the chief of the job insurance bureau perform the legal services for the division pursuant to Iowa Code section 96.17 which empowers the division to employ attorneys to represent it and give advice on all matters coming before it in conjunction with the administration of Iowa Code chapter 96. The bureau administers the payment of job insurance benefits to eligible individuals, determines which employers are subject to the state and federal laws enacted in this area, supervises the collection of taxes from these employers, oversees a program to control the quality of benefit payment and revenue collection, and adjudicates lower authority administrative appeals. These functions are performed by the following four sections:

a. Claims section. The claims section determines the eligibility of individuals claiming benefits and processes the payment of benefits. In addition to the Iowa job insurance benefits, the claims section also processes job insurance for Federal Employees Compensation Act (FECA), Job Insurance for Ex-service Members (UCX), claims for Trade Readjustment Act and Expansion Act (TRA and TEA) and Disaster Unemployment Assistance (DUA). It is also responsible for payments of other special federal unemployment insurance benefits as agreed to by the United States Department of Labor and the state of Iowa.

(1) New claims and record management unit. The new claims and record management unit is responsible for all incoming initial claims filed in Iowa under the Iowa employment security law. Special

employer notices of claim filing are processed by this unit. In addition, this unit is responsible for the maintenance of the claims section files; processing transfers, all additional claims, notice of separation forms, and employer protests; checking all folders returned to the claims section by the appeals section; and correcting errors detected on the computer flag sheets.

(2) Adjudication unit. The adjudication unit is responsible for determining individuals' eligibility on disputed claims for benefits which are not adjudicated at the local office level. The unit also reviews decisions which involve manual transferring of wages. The unit responds to communications involving technical matters related to job insurance and corrects necessary records and data base due to subsequent appeal decisions which reverse the prior decision issued on a claim. It also determines overpayments and removes erroneous charges when employers are charged in error. This unit is also responsible for corrections on employer charge notices which could affect employer contribution tax rates.

(3) Interstate and federal unit. The interstate and federal unit is responsible for processing claims for FECA, UCX, TRA, DUA, and any other agreed to federal job insurance programs. This unit determines eligibility, computes and authorizes payments due, maintains needed records, and makes adjustments or redeterminations as applicable. This unit is also responsible for processing initial interstate claims, processing continued claims for payment or disqualification, notifying employer of claim filing, processing overpayments and underpayments, processing interstate appeals, and processing combined wage claims.

(4) OPSCAN unit. The OPSCAN unit is responsible for the processing of all continued claims for payment. Each claim is optically scanned for proper completion and is entered on a computer tape which is used to generate job insurance warrants.

(5) Benefit payment control unit. The benefit payment control unit is responsible for aggressive action to prevent, detect, investigate, and penalize fraudulent actions on the part of individuals claiming benefits and employing units with regard to benefit payments. The unit also recoups overpayments and prosecutes violations of the Iowa employment security law. This unit also has the responsibility to make determinations on amounts of overpayments, and for the issuance of duplicate warrants in case of lost, stolen, uncashed, or undelivered warrants.

b. Tax section. The tax section is responsible for the maintenance and control of all records of job insurance tax paid by liable employers in the state of Iowa. Taxes collected are deposited in a fund to be subsequently used for benefit payments. This section maintains financial records on employers; assigns rates each year to employers; makes all necessary adjustments to ensure proper charging to employers of benefits chargeable to them; maintains records of employer overpayments and refunds; issues duplicate warrants for lost, stolen or forged warrants; maintains benefit balances for payment of benefits through withdrawals of fund moneys; initiates withdrawal of federal funds on federal letters of credit; and maintains the necessary contacts with employers' accountants, attorneys, and the general public to ensure the proper and timely submission of all the required reports to the division of job service. The tax section is divided into two major areas of responsibility within which the following units operate:

(1) Accounting units. The accounting control unit is responsible for centralizing all of the accounting functions of the various units within the section. Journals and subsidiary accounts for the unemployment insurance program are managed and maintained in this unit. Monthly reports of income and benefit payments are prepared. Unemployment tax receipts are deposited with the state treasurer's office. Funds are requested from the United States Treasury Department to pay Iowa job insurance benefits. Money which is recovered from individuals who have received more unemployment than they are entitled is deposited. The collection unit is responsible for the collection of delinquent tax contributions, benefit reimbursements, and unpaid interest and penalty assessments from all Iowa employers who file job insurance reports. Staff instigates routine legal actions such as the filing of liens, garnishments, and bankruptcies. Employers are contacted by mail, telephone, or personally to initiate the collection process. The deposit unit thoroughly reviews contribution reports against payroll reports for matching totals and verifies the amount of the check against the employer's report. The unit is responsible for depositing all money received for contribution reports, benefit reimbursements, and interest and penalties with the state treasurer's office. The information on the contribution reports is keypunched and the proof sheets are checked to see that they have been correctly punched. The

adjustment unit assigns contribution rates to employers, processes changes of ownership, adjusts the amounts owed by employers, and audits the taxable wages reported by the employer in accordance with state and federal requirements.

(2) Field audit units. These units are responsible to contact Iowa employers to establish taxpayers' liability under the law, explain the law's provisions, secure information and make recommendations pertaining to establishing and terminating tax liability, collect delinquent contributions, give information and assistance in the preparation of tax reports and in securing refunds of overpaid taxes, assist in fraud investigations, conduct payroll and financial audits, and appear as an expert witness at employer liability hearings. These units also assign all field audit work. Information is entered into the automated system which generates materials to be utilized by the field audit staff in conducting an employer audit. Once the audit is completed, the assignment is removed from the inventory. These units also keep a record of the number and type of assignments completed, record address and other changes for employer, and screen taxable wage audits which do not warrant assignment to the field audit staff.

c. Quality control section. The quality control section is supervised by a section supervisor who reports directly to the bureau chief and is responsible for providing a system of data collections and analysis which will support the development and execution of corrective action plans to reduce the number of inaccurate job insurance benefit payments and improve revenue collection in the state.

d. Appeals section. The appeals section processes lower authority administrative appeals, i.e., appeals by an individual claiming job insurance benefits from a decision by a job service representative denying the benefits to the individual claiming the benefits; employer appeals or employer requests for hearings from adverse decisions of a job service representative, a representative of the employer, field operations bureau or other representative of the division of job service.

1.2(4) Field operations bureau. The field operations bureau is under the direction of a bureau chief who assists the commissioner in planning, directing and coordinating activities for the division. The chief directs the special programs section, the program operations section, and the four regions and the offices located within the regions.

a. Special programs section. The special programs section is supervised by a section supervisor who reports directly to the bureau chief and is responsible for the administration of the following special programs: Job Training Partnership Act, service delivery area Wagner-Peyser plan, state Wagner-Peyser plan, counseling, ex-offenders, disabled workers, older workers, PROMISE JOBS, alien labor certification, child labor certification, job search assistant, youth, food stamp, automation, operation manuals, migrant seasonal farm workers, rural manpower services, literacy, cash bonus, aid to dependent children, unemployed parent, and Workforce 2000 initiatives.

b. Program operations section. The program operations section is supervised by a section supervisor who reports directly to the bureau chief and is responsible for the administration of the following programs: division-approved training, apprenticeship information, performance standards, targeted jobs tax credit validation (TJTC), administrative rules, dislocated workers, testing, validity generalization, Trade Adjustment Assistance (TAA) Act, defense and mobilization, governor's volunteer program, mandatory listings, industrial development, applicant and employer inquiry responses, job placement, target alliance, veterans, unemployment insurance, job service marketing, employer relations and program budget plans.

c. Regions. There are four regions with offices assigned to those regions. Each region is supervised by a regional supervisor who reports directly to the bureau chief. The regional supervisors are responsible for the implementation of employment security programs, rules, and laws, both state and federal, for their respective regions and the offices assigned to their regions. The four regional supervisors exercise direct line supervision of all field operations staff and resources within their assigned regions. The four regions are: Fort Dodge, Des Moines, Cedar Rapids, and Davenport.

345—1.3(96) Voter registration. Transferred to 877—Chapter 24, IAC 5/21/97.

These rules are intended to implement Iowa Code sections 84A.1, 96.10, and 96.11 and Federal Rule of Civil Procedure 65(b).

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